



General Assembly

Substitute Bill No. 634

January Session, 2005

* SB00634JUD__051705__ *

AN ACT CONCERNING DAMAGE BY ROAMING LIVESTOCK AND DOGS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 52-561a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 (a) Any owner or keeper of domestic fowls, including, but not
4 limited to, ostrich and emu, and any owner or keeper of livestock,
5 including, but not limited to, cervids, camelids, bison, buffalo, cattle,
6 equine, asses, mules, sheep, swine and goats, who allows [them] such
7 fowls or livestock to trespass upon the premises of another person
8 shall be liable to the owner or occupant of such premises for all
9 damage done by such fowls or livestock.

10 (b) An owner or keeper of domestic fowls or livestock shall not be
11 liable for the cost of repairing damage done by such fowls or livestock
12 pursuant to subsection (a) of this section when the fence or barrier
13 used to enclose such fowls or livestock is determined by the
14 Commissioner of Agriculture or the commissioner's designee to be
15 sufficient to control such fowls or livestock and has either (1) been
16 damaged by natural acts not under the control of the owner or keeper,
17 or (2) been damaged by criminal or other malicious acts, including, but
18 not limited to, vandalism, trespass, or other intentional acts not under
19 the control of the owner or keeper.

20 (c) A municipal animal control officer may impound roaming
21 domestic fowls or livestock and may recover reasonable costs from the
22 owner or keeper associated with the feeding and care of such fowls
23 and livestock. At the request of the municipal animal control officer,
24 the Commissioner of Agriculture or the commissioner's designee may
25 provide assistance to the officer regarding the impoundment, feeding
26 and care of such fowls or livestock. Municipal animal control officers
27 impounding fowls or livestock pursuant to this section shall make a
28 reasonable effort to notify the owner or keeper of such fowls or
29 livestock regarding the impoundment.

30 Sec. 2. (NEW) (*Effective October 1, 2005*) Any person who sustains
31 damage by a dog to such person's sheep, goats, horses, hogs, cattle,
32 poultry or domestic rabbits kept in enclosures shall make complaint
33 concerning the circumstances of the attack by such dog on any such
34 domestic animal to the Chief Animal Control Officer, any animal
35 control officer or the municipal animal control officer or regional
36 animal control officer of the town in which such dog is owned or kept.
37 Any such officer to whom such complaint is made shall immediately
38 make an investigation of such complaint. If such officer finds that the
39 complainant's domestic animal has been bitten or attacked by such dog
40 when such domestic animal was not on the premises of the owner or
41 keeper of such dog, such officer shall quarantine such dog in a public
42 pound or order the owner or keeper of such dog to quarantine such
43 dog in a veterinary hospital, kennel or other building or enclosure
44 approved by the Commissioner of Agriculture for such purpose. The
45 commissioner, the Chief Animal Control Officer or any animal control
46 officer, municipal animal control officer or regional animal control
47 officer may make any order concerning the restraint or disposal of any
48 such attacking dog as the commissioner or such officer deems
49 necessary. Notice of any such order shall be given to the owner of such
50 dog within twenty-four hours. The owner of such dog shall pay all fees
51 as set forth in section 22-333 of the general statutes. On the fourteenth
52 day of such quarantine, such dog shall be examined by the
53 commissioner or a person designated by the commissioner to

54 determine whether such quarantine shall be continued or removed.
 55 Whenever any quarantine is ordered under the provisions of this
 56 section, notice thereof shall be given to the commissioner and to the
 57 complainant within twenty-four hours. Any owner or keeper of such
 58 dog who fails to comply with such order shall be fined not more than
 59 two hundred fifty dollars or imprisoned not more than thirty days, or
 60 both. If the owner or keeper of such dog fails to comply with a
 61 quarantine or restraining order made pursuant to this section, the
 62 Chief Animal Control Officer or any animal control officer, municipal
 63 animal control officer or regional animal control officer may seize such
 64 dog to ensure such compliance, and the owner or keeper of such dog
 65 shall be responsible for any expenses resulting from such seizure. Any
 66 person aggrieved by an order of the Chief Animal Control Officer or
 67 any animal control officer, municipal animal control officer or regional
 68 animal control officer made pursuant to this section may request a
 69 hearing before the commissioner not later than fourteen days after the
 70 issuance of such order. After such hearing, the commissioner may
 71 affirm, modify or revoke such order as the commissioner deems
 72 proper. Any dog owned by a police agency of the state or any of its
 73 political subdivisions is exempt from the provisions of this section
 74 when such dog is under the direct supervision, care and control of an
 75 assigned police officer, has been vaccinated annually and is subject to
 76 routine veterinary care.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2005</i>	52-561a
Sec. 2	<i>October 1, 2005</i>	New section

JUD *Joint Favorable Subst.*